

HALL COUNTY BOARD OF SUPERVISORS MEETING SEPTEMBER 25, 2001

The Hall County Board of Supervisors met form adjourned session and by published call in the County Board meeting room, 121 South Pine, Grand Island, Nebraska, September 25, 2000 at 9:00 a.m.

CALL TO ORDER The meeting was called to order by Chairman Richard Hartman.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was said in unison.

ROLL CALL: Present on roll call were Scott Arnold, Richard Hartman, Bob Humiston, Pamela Lancaster, Margaret Landis, and Lonnie Logan. Bud Jeffries was absent. Also present were County attorney Jerry Janulewicz and news media representatives from the *Grand Island Independent* and KRGI.

CONSENT AGENDA: Lancaster made a motion and Arnold seconded to approve the following by consent agenda:

1. Approve the minutes of the September 11 meeting
 2. 2a Approve Resolution #01-0063 terminating the Head Start Delegate Agency Agreement and authorizing the transfer of property
 3. 11Approved Resolution #01-0060 the CASA Resolution Lancaster requested that this item be read into the record
 4. 15 Approve the Resolution #01 0061 for the support of the President
 5. 12 Receive the tort claim from Kathy Michel
 6. 13 Accept and place on file the 2001 County Inventories
 7. 16 Accept the letter to terminate the tenancy of the Law Firm Lauritsen Brownell Brostom Stehlik Thayer and Myers in the Beltzer Building
 8. 23 Accept and place on file the office reports from the Register of Deeds, Clerk of the District Court, the Hall County Attorney Monthly Statistics Report and Emergence Management
 9. 24 Accept and place on file the Hall County Treasurer's Miscellaneous Receipts
 10. 25 Accept and place on file communications as received.
- Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent.

OFFICE REPORT CLERK OF THE DISTRICT COURT AUGUST 2001

FEES & INTEREST ON ACT #2-200-4	\$4,459.37
INTEREST EARNED ON ACT #114-0090191	1.58
INTEREST EARNED ON ACT #7-396-2 JUNE	68.65

OFFICE REPORT REGISTER OF DEEDS AUGUST 2001

DOCUMENTARY STAMP FEES	\$ 7,826.34
RECORDING FEES	23,967.50
PHOTO FEES	583.15

2b CONSIDER AND TAKE ACTION ON THE PARKING RESOLUTION: County Attorney Jerry Janulewicz stated that the parking areas around the Safety Center and the small parking lot behind the Court House were reviewed by the building and grounds department the city police department and the Hall County Sheriff department and a new plan was proposed. The new plan is attached to this resolution and they are requesting that the County Board adopt this plan. One stall will be designated for motor vehicle inspections, one for the motorcycle parking two stalls will be designated for police cars. Logan made a motion and Arnold seconded to adopt this new parking plan and approve Resolution #01-0062 establishing restricted parking areas and restricted parking lots abutting the County-city Public Safety Center and the Hall County Courthouse. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent.

2c AMENDMENT TO PURCHASE AGREEMENT REGARDING LUZENAC PROPERTY:

This is a proposed amended agreement for purchasing the Luzenac property. The property has been inspected by the Corp of Engineers and there are no wet lands and GEO Technical Services has also inspected the property and there are no unusual problems regarding the soil conditions and there is no contamination of the soil. The Nebraska Department of Roads and the City of Grand Island has approved two points of access to this property. All of the conditions have been met the only problem is the property must be subdivided and the county will need to pay a connection fee for the city sewer. Jerry attempted to delay this fee until we are ready to connect but the city did not want to wave the connection fee for the county. He is requesting that the Board approve this connection fee. Logan made a motion and Humiston seconded to approve the amendment to the purchase agreement. He expressed his concern that the city is not more cooperative with the county. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent.

2d CONSIDER AND TAKE ACTION ON PROPOSED COOPERATIVE AGREEMENT FOR CHILD SUPPORT ENFORCEMENT SERVICES:

County Attorney Jerry Janulewicz presented the child support enforcement agreement, this agreement provided that 60% of child support costs are reimbursed. The county has had this agreement for about 20 years. It has been updated and he is requesting the county board to approve it. Lancaster made a motion and Humiston seconded to approve the agreement. Lancaster questioned if this agreement will continue until the state takes over. Janulewicz explained that this agreement is for the enforcement of the child support not the collection. The state is only taking over the collection of the child support payments and creating centralized collection. This centralized collection will begin sometime later this year. The computer system has not been tested so it is not in operation yet. Discussion was held on the cost and if funds has been allocated. The county attorney's responsibilities will remain the same. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent. Motion carried.

5b AUTHORIZE THE CHAIR TO SIGN THE CERTIFICATION FOR THE BOARD OF CLASSIFICATIONS AND STANDARDS. This is the standard agreement. Eriksen made a motion and Logan seconded to authorize the chair to sign. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent. Motion carried.

10 APPROVE THE AMENDMENT TO THE HEALTH PLAN: Discussion was held on the amendment and Arnold made a motion and Lancaster seconded to approve the amendment and authorize the chair to sign. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent. Motion carried.

14 APPROVE RESOLUTION FOR SALE OF TRACTS OF LAND AT CAAP: The resolution and the attached map showed the next tracts of land at the Cornhusker Army Ammunition Plant that will be sold. Lancaster made a motion and Humiston seconded to approve Resolution #01-0065 requesting the sale of Tract #22,231 23B24, 25,31A, 31B 46, 48A, 48B, 48C, 48D, 49, 51A and 50B. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent. Motion carried.

17 APPROVE RESOLUTION FOR PETTY CASH FUND FOR DRUG COURT
18 AUTHORIZE CHAIR TO SIGN CREDIT CARD AUTHORIZATION FOR DRUG COURT. Arnold stated that he would like to have the sheriff come over and discuss this with the county board. The coordinator has been hired and will need training so this is the purpose for the petty cash fund and the credit card. They will be called to come over to discuss this with the county board.

20 COMMENCE AUDIT OF MONTHLY CLAIMS AND ACTION ON CLAIM AUDIT. The board members audited the monthly claims. Discussion was held on the claim from the City of Grand Island for ambulance fees. This is for transporting inmates from the jail to the hospital. Logan made a motion and Lancaster seconded to pull this claim to the City of Grand Island and refer it to the correction steering committee for review. He would like the committee to discuss this with the city. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent. Motion carried.

Lancaster made a motion and Humiston seconded to approve the claims as audited and authorize the clerk to pay. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent. Motion carried.

17 and 18 RESOLUTION FOR THE PETTY CASH FUND AND THE CREDIT CARD FOR THE DRUG COURT. Bonnie Arnold from the Hall County Sheriff's Department was present and she stated that the drug court coordinator is Connie Hultine and she is in the process of setting up this office. This will cover a four county area. Sheriff Watson will bring her to the county board later. Logan made a motion and Humiston seconded to approve the Resolution #01-0064 for the petty cash fund and to authorize the chair to sign the application for the credit card. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent. Motion carried.

COUNTY BOARD ASSISTANT'S REPORT: County Board Assistant Stacey Ruzicka requested that the board members turn in the evaluation reports and stated that information on the Central District meeting for September 27 was in the packets.

BOARD MEMBER'S REPORTS: Logan stated that he attended an ADA meeting and there will be a long range-planning meeting October 3.

Lancaster – She stated that the interim grantee for Head Start and the representatives from Kansas City are in Grand Island and they will be meeting today at 2:00 p.m. The invited the corporate board to meet with them at 4:00 p.m. and they will provide information. She attended the Senior Citizens meeting and she will attend the Central District meeting and will bring back information on the clerk of the district court child support collection.

Eriksen – He reported that the health board met and they reported an increase in shots provided to the public. They are working on the interlocal agreements with the various counties. They are still looking at the options that the department has for acquiring more space for the department. The consultant looked at the county attorney building and the cost for remodeling it. Health Director Sonja Simpson will update the county board later.

Humiston – no report

Arnold - no report

Hartman – His meetings were reported on.

10:00 a.m. BID OPENING FOR ASPHALT PROJECTS: Lancaster made a motion and Arnold seconded to open the bids for the asphalt projects. Arnold, Eriksen, Hartman, Humiston and Lancaster all voted yes and none voted no with Logan absent for the vote. Bud Jeffries was absent. Motion carried.

PROJECT 3-40(318) BURWICK ROAD

BIDDER	TOTAL BID
JIL ASPHALT	
Grand Island	\$89,240.00
GARY SMITH CONSTRUCTION	
Grand Island	\$80,275.20

PROJECT C-40(275) GUENTHER ROAD

JIL ASPHALT	
Grand Island	\$186,556.50
GARY SMITH CONSTRUCTION	
Grand Island	\$168,308.70

Lancaster made a motion and Eriksen seconded to refer the bids to the public works committee. These projects will have a completion date of June 2002. Arnold, Eriksen,

Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent. Motion carried.

Chairman Hartman called for a break at 10:00 a.m.

10:15 a.m. returned to session

10:15 A.M. PUBLIC HEARING ON TOWERS AND SUPPLEMENTARY REGULATIONS: Logan made a motion and Humiston seconded to open the public hearing. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent. Motion carried.

Regional Planning Director Chad Nabity was present and stated that the regional planning board held a public hearing and approved the regulations that will require a conditional use permit for towers in specific zoning districts for towers less than 100 ft in height. He provided the board members with information on the required set backs in the various zoning districts. The changes to the supplementary regulations require that a building permit for a new dwelling will not be issued unless the frontage road has been brought to standard if it is minimum maintenance. This would allow the county time to plan and budget for the road improvements. The city requires that the road be improved before a permit is issued. It is not fair for the county to pay for the improvement of a road if only one person is building a home. Discussion was held and Logan expressed concern that this would hurt the sale of the property and that a minimum maintenance road would still allow access to the property. Hartman also expressed concern that this was not right. Nabity stated that this would just provide time to plan for the improvements. If the building permit was not issued it would allow time to improve the road. Arnold stated that there are other ways for property owners to be responsible for the road improvements like creating a street improvement district.

Discussion was held on the tower regulations and Nabity stated that concern was expressed on the set back of the tower. It was suggested that the towers be set back 150% of the height but that may be excessive. He suggested that the towers are set back 100% of the height of the tower plus the required set back in the zoning districts. This would give the safety margin but it would not be excessive.

Logan made a motion and Lancaster seconded to close the public hearing. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent. Motion carried.

Logan made a motion and Lancaster seconded to recommend to the regional planning commission to change regulation 8a to 100% of the height of the tower plus the required set back in the zoning districts. The resolution will be changed to reflect this and approved Resolution #010066 amending the Hall County Zoning Regulations to Regulate Towers. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent. Motion carried.

Logan made a motion and Lancaster seconded to refer the supplementary regulations back to the regional planning commission for change. Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and Arnold voted no with Jeffries absent for the vote. Motion carried.

10:30 A.M. ARMY CORP OF ENGINEERS TO DISCUSS TRANSFER OF CAPP:

Ken Cooper with the Army Corp of Engineers was present representing the Army on the cleanup and sale of the property. He introduced Tom Jamison, Joe Laird and Jo Soleberg. They have the responsibility for the clean up and sale. Mr. Cooper entertained questions from the board members on the transfer. Arnold questioned the graph and the different shading. Mr. Cooper explained that the area in question was the burning area and the pistol range and he stated that there is lead that still needs to be cleaned up. He also stated that load line five still needs to be cleaned up. There is still parcel #45 that has a RDX contamination and they are working on cleaning up. Lancaster thanked them for the smooth transfer from the present management to the new management. This has been a twelve-year process and there has always been onsite staff but now there will be a large organization in Omaha to help with the transfer. There will still be a representative on site. Discussion was held on the sale. There will be about 2,600 acres sold. The board members thanked them for the information.

Chairman Hartman called for a break at 10:50 a.m.

11:05 returned to session

Highway Superintendent Marsha Medbery presented the results of the bid opening on the asphalt projects. Logan made a motion and Lancaster seconded to accept the low bid from Gary Smith Construction, Grand Island, in the amount of \$248,593.90 and authorize the chair to sign the contracts. Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Arnold absent for the vote and Jeffries was absent. Motion carried.

PUBLIC PARTICIPATION – Hartman called for public participation and Mr. Corneilus requested to speak to the county board concerning the railroad crossing projects. A public hearing was held on this and the board voted to close the crossing in question. Mr. Corneilus has expressed concern that it will not allow large farm equipment to be turned around or get through without using Highway #30, which causes a safety problem. Hartman suggested that the county board might need to address this issue again. It was suggested that the county do a traffic count on this crossing. There are still problems caused by the trains blocking the intersections. Lancaster made a motion and Eriksen seconded to refer this matter to the public works committee. If the trains block the intersection for over 15 minutes, the county sheriff should be called to ticket the engineer.

11:15 A.M. JASON CLANCY WITH NIRMA TO DISCUSS LOSS CONTROL ISSUES:

Jason Clancy, loss control manager with NIRMA was present. He stated he would make a full report to the safety committee at the next meeting. Hall County's work compensation claims have increased and he recommended that the county should emphasize safety programs to prevent back injuries. Hall County as also experienced an increase on slip and fall injuries. Some injuries are preventable with training. Since the September 11th tragedy NIRMA had sent out two messages to all counties concerning courthouse safety. Supervisor Eriksen suggested that Mr. Clancy meet with the new safety director and Jason stated he would be doing that today. The board thanked Mr. Clancy for coming.

11:30 A.M. BILL STOVAL – REQUEST FOR FUNDING FOR DRAINAGE PROJECT AT AIRPORT: Airport Director Bill Stovall was present. He stated that since the September 11th tragedy the airport received 17 new compliance issues that had to be implemented. They now have to have a 300-foot clearance area from the building and that causes a problem because of the small parking area for the airport passengers. They have sent a letter requesting an alternate plan to use blast protection equipment in front of the terminal. They have extra security with uniformed guards. He encouraged the board members and the public to use the restaurant at the airport because business is down. Mr. Stoval stated that he had requested funding from the County for the drainage project and the board requested to wait with a decision until a meeting was held in September with the residents. He is now back requesting the funding again. Lancaster made a motion and Arnold seconded to approve the request from the Hall County Airport for the \$5,000.00 for the drainage project. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no. With Jeffries absent. Motion carried.

NEW OR UNFINISHED BUSINESS – Chairman Harman called for new or unfinished business and no one responded.

The meeting adjourned at 11:40 a.m. The next meeting will be October 9 at 9:00 a.m.

Marla J. Conley, Hall County Clerk

REMINDER: The County Board meetings may be viewed on GITV Cable Channel 6 and UHF Channel 56 Wednesday at 8:00 p.m. and Friday at 8:00 a.m.